

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

RODNEY GENE BOYLES,

Defendant-Appellant.

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UNPUBLISHED

May 13, 1997

No. 193950

Montcalm Circuit Court

LC No. 94-1 FH

Before: Corrigan, C.J., and Young and M.J. Talbot\*, JJ.

MEMORANDUM.

Defendant has fully served his minimum sentence. Accordingly, defendant's challenge to the proportionality of his sentence has been rendered moot. *People v Rutherford*, 208 Mich App 198; 526 NW2d 620 (1994).

Dismissed as moot.

/s/ Maura D. Corrigan

/s/ Robert P. Young

/s/ Michael J. Talbot

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\* Circuit judge, sitting on the Court of Appeals by assignment.